

Socha, Julianne

From: Socha, Julianne
Sent: Tuesday, July 23, 2013 12:27 PM
To: 'Heacock, Dan'; Sanjay Sofat
Subject: FW: Illinois CAFO Work Plan -- Re-Investigation Report

After double-checking CAFO tracker I found the status of Ratermann Pork, Timmerman Ronald, and Tracy Kitley (#'s 5, 6 and 7) in my first question below. All three are included in CAFO tracker as VOD. Does VOD mean that the facility actually withdrew the permit application or that Illinois EPA determined the application was void?

From: Socha, Julianne
Sent: Tuesday, July 23, 2013 8:44 AM
To: 'Heacock, Dan'; Sanjay Sofat
Cc: Pierard, Kevin; Opie, Jodie
Subject: Illinois CAFO Work Plan -- Re-Investigation Report

Hello Dan and Sanjay,

The February 2011 Work Plan Agreement between Illinois EPA and EPA required Illinois EPA to report on the outcome of a re-investigation of 45 cases which Illinois EPA determined that an applicant did not require a permit (see objective 1, approach 6, February 24, 2011 Work Plan). Illinois EPA submitted a report on these cases in August 2011. EPA reviewed and identified 13 outstanding cases. The February 2013 Work Plan Agreement required Illinois EPA to report on the status of these 13 outstanding cases (see Objective 1, Approach 1, February 3, 2013 Work Plan). Illinois EPA submitted a report to EPA on February 28, 2013.

I have reviewed the February 2013 report and it appears that Illinois EPA has determined that all 13 of the outstanding cases do not require permits however, it is unclear from the February 2013 report if Illinois EPA has completed taking action on the decision that no permit is required for all of the outstanding cases. Below are questions regarding the status of these outstanding cases. Please provide an update on the status of the permit application at your earliest convenience but no later than August 22, 2013.

Please let me know if you have any questions.

Julianne

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Questions regarding February 28, 2013 re-investigation report

1. Nine of the 13 outstanding cases are Machhoff units. All 9 cases include a notation that Machhoff has Exemption 5 and Exemption 7(A) and 7(E). Some of these nine applicants have been sent NPR letters however, the status of the Exemption 5 and Exemptions 7(A) and 7(E) is unclear for the following 7 applicants. Please provide the date of a letter acknowledging the Exemption 5 and Exemptions 7(A) and 7(E) or the date of a NPR letter for the following applications.

- (1) Amos Brubaker Section 30 Farm, IL0074659, application rcvd July 23, 2003
- (2) Carlyle farms LLC, Mulkeytown, IL0076767, application rcvd April 22, 2003
- (3) Hennpen Hog/Cattle Farm, IL0076821, application rcvd June 17, 2003
- (4) Lewis Hilltop Hog Farm – Louisville, IL0076881, application rcvd June 18, 2003
- (5) Ratermann Pork Farms, IL0076953, application rcvd August 1, 2003
- (6) Timmerman Ronald Barn #1, IL0077291, application rcvd April 1, 2004

(7) Tracy Kitley, ILA010010, application rcvd March 10, 2005

According to the February 28, 2013 report two of these (Carlyle Farms and Lewis Hilltop Hog Farm) were issued NPR letters in February 2013, however, I did not find these NPR actions reported on CAFO tracker. Please confirm that NPR letters were issued to these two applicants.

Hennpen Hog/Cattle Farm was also sent a NPR letter in 2008. It is unclear from the information in the report what the status of this permit application is after the re-investigation required by the 2011 and 2013 Work Plans. Please confirm the status of this permit application.

The February 2013 report indicates that NPR requests have been sent to the Permit Sections for the remaining four cases. Please provide the status for these four.

2. There are two entries for Hennpen Hog/Cattle Farm. Please confirm if these two entries are for the same permit application.

3. Western Creek Farms, LLC, IL0077208, application rcvd January 29, 2004, was inspected in August 2011 and the original August 2011 re-investigation report indicated that a permit decision would be made upon review of the inspection results. Other notes indicate that no permit will be required for this applicant however, it is unclear if the permit application has been withdrawn. Please provide the status of this permit application.